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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,243	07/13/2000	Masashi Yahara	CANO:009	5020
7590 08/12/2004			EXAMINER	
Rossi & Associates P O Box 826 Ashburn, VA 20146-0826			QUELER, ADAM M	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/615,243

Applicant(s)

YAHARA, MASASHI

Examiner

Adam M Queler

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 04/21/2004.
2. Claims 1 - 30, are pending in this case. Claims 1, 8, 15 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 3 - 5, 8, 10 - 12, 15, and 17 - 19, are rejected under 35 U.S.C. 102(e) as being anticipated by Ellard U.S. patent No. 5,991,758 – filed Jun. 6, 1997.**

Regarding independent claim 1, Ellard discloses a document management method of managing a plurality of files of documents by recording said plurality of files of documents such that said files can be retrieved, comprising the steps of: listing attribute information of recorded ones of said plurality of files (col. 15 lines 4-5), information of results of retrieval carried out on the files, and information of indices for the files, on a file-by-file basis, in a single document file list (see Figure 15, col. 15 lines 1-13); assigning identifiers having respective priorities independent of said results of said retrieval to a plurality of files listed in said single document file list, that are desired to be subjected to a predetermined identical processing (see col. 7 lines 8-26); and subjecting said listed files to which said identifies having said respective priorities are assigned, to said predetermined identical processing according to the respective priorities of said identifiers (see col. 3 lines 30-40).

The confidence levels, or priorities (col. 15, ll. 1-45) are assigned to the records and therefore are also assigned to the identifiers identifying them. They are then processed according to these priorities (col. 15, ll. 41-45).

Regarding dependent claim 3, Ellard discloses wherein said predetermined identical processing is integration of said listed files according to the respective priorities of said identifiers (see col. 3 lines 21-40).

Regarding dependent claim 4, Ellard discloses predetermined identical processing is copying of said listed files according to the respective priorities of said identifiers (col. 3 lines 30-40).

Regarding dependent claim 5, Ellard discloses predetermined identical processing is movement of said listed files according to the respective priorities of said identifiers (col. 2 lines 4-32).

Regarding independent claims 8 and 15, recite a document management system capable and a storage medium storing a program of managing a plurality of files of documents by recording the plurality of files of documents such that the files can be retrieved which is equivalent to the method as recited in claim 1 and is similarly rejected, as above.

Regarding dependent claims 10 and 17, recite a document management system and a storage medium for predetermined identical processing is movement of said listed files according to the respective priorities of said identifiers which is equivalent to the method as recited in claim 3 and is similarly rejected, as above.

Regarding dependent claims 11 and 18, recite a document management system and a storage medium for predetermined identical processing is copying of said listed files according to the respective priorities of said identifiers which is equivalent to the method as recited in claim 4 and is similarly rejected, as above.

Regarding dependent claims 12 and 19, recite a document management system and a storage medium for predetermined identical processing is movement of said listed files according to the respective priorities of said identifiers which is equivalent to the method as recited in claim 5 and is similarly rejected, *et al.* above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 2, 6, 7, 9, 13, 14, 16, 20 – 30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellard U. S. Patent No. 5,991,758 – filed Jun. 6, 1997 in view of Fisher, U. S. Patent No. 5,563,997 - filed Nov. 16, 1992.**

Regarding dependent claims 2, 6, 9, 13, 16, and 20, Ellard as applied to claims 1, 8, and 15 above discloses every aspect of applicant's claimed invention except a step of displaying said respective priorities of said identifiers.

Figure 5(a) of Fisher discloses a document management system having displaying plurality of files with respective to priorities of identifiers by sorting the files by Doc name, Doc #, and Date (see Figure 6b, col. 5 lines 33-47).

Ellard and Fisher are analogous because both are related to document management system. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the priorities of the identifiers taught by Fisher to Ellard for the purpose of allowing the user to specify the location in the list where new records are to be inserted (see column 1 lines 63-67).

Regarding dependent claims 7, 14, and 21, Ellard as applied to claims 1, 8, and 15 above discloses every aspect of applicant's claimed invention except wherein said identifiers are marks.

Figs. 3-4, and 5(a), 6(a), of Fisher discloses a document management system having identifiers are marks. (Figure 3 [* denotes marked cells]).

Ellard and Fisher are analogous because both are related to document management system. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply denotes marked cells of Fisher to identifier documents of Ellard for the purpose of allowing the operator to select which columns from those data records should be displayed, and the operator has selected to display of the document name and the document number fields as indicated by the check marks in those fields (see col. lines 57-67).

Regarding dependent claims 22 and 28, Fisher as combined with Ellard as applied to claim 16 above, further discloses a storage medium is a floppy disk and magnetic tape (col. 3 lines 51-52).

Regarding dependent claim 23, Fisher as combined with Ellard as applied to claim 16 above, further discloses a storage medium is a hard disk (Fig. 1, col. 3 lines 30-44).

Regarding dependent claims 24 and 25, Fisher as combined with Ellard as applied to claim 16 above, further discloses a storage medium is an optical disk and a magneto-optical disk (col. 4 line 1).

Regarding dependent claims 26, 27, 29, and 30, Fisher as combined with Ellard as applied to claim 16 above, further discloses a storage medium is a CD-ROM (Compact Disk Read Only Memory), CR-R (Compact Disk Recordable), nonvolatile memory card, and ROM (Read Only Memory) (see col. 3 line 38).

Response to Arguments

7. Applicant's arguments filed 04/21/2004 have been fully considered but they are not persuasive.

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Regarding Applicant's remarks on pp. 8-9, regarding claim 1:

Applicant alleges that the confidence level calculation features do not correspond to the claimed assigning feature. Applicant provides no compelling evidence as to why this is the case. As shown, the confidence levels, or priorities (col. 15, ll. 1-45) are assigned to the records and therefore are also assigned to the identifiers identifying them. They are then processed according to their respective priorities (col. 15, ll. 41-45).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

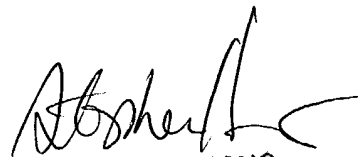
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M Queler whose telephone number is (703) 308-5213. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AQ



STEPHEN S. HONG
PRIMARY EXAMINER